

***A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS
WAS HELD JUNE 17, 2002 AT 1:00 P.M. IN WARRENTON, VIRGINIA***

P R E S E N T Mr. Raymond Graham, Chairman; Ms. Sharon McCamy, Vice Chair; Mr. Harry Atherton; Mr. Joe Winkelmann; Mr. Larry L. Weeks; Mr. G. Robert Lee, County Administrator, Mr. Paul S. McCulla, County Attorney

AGENDA REVIEW

The Board of Supervisors reviewed the Agenda.

VIRGINIA STATE POLICE COUNTY OPERATIONS BRIEFING

First Sergeant Ed Murphy of the Virginia State Police briefed the Board on the status of current State Police operations in Fauquier County.

FAUQUIER COUNTY BANDWIDTH TASK FORCE

Chris Johnson reported to the Board the status of bandwidth in Fauquier County and provided recommendations of the Fauquier County Bandwidth Task Force.

FAUQUIER COUNTY'S FARMLAND PRESERVATION PROGRAM – PURCHASE OF DEVELOPMENT RIGHTS

Mary Heinrich of American Farmland Trust, and Leslie Grayson of Virginia Outdoor Foundation, presented information to the Board regarding the matching federal grant program for purchase of development rights.

CLOSED MEETING

The closed meeting was cancelled and was deleted from the work session agenda.

The regular meeting of the Board of Supervisors reconvened at 6:30 p.m. at Marshall Middle School.

ADOPTION OF THE AGENDA

Mr. Graham moved to adopt the Agenda, subject to the following amendments:

- Add Proclamation recognizing Chuck Hoysa's retirement.
- Add Proclamation recognizing Delila Laviolette's 100th birthday.
- Add Proclamation recognizing Virginia Allison's 101st birthday.
- Add Consent Agenda item #m, A Resolution Approving an Exception for Travel Expenses in Accordance with the Travel Policy and Procedures.

- Add Consent Agenda Item #n, A Resolution Authorizing the Extension of the Warrenton-Fauquier Airport Fixed Base Operator Lease with Tracey Corporation Until August 31, 2002.

Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*

CITIZENS' TIME

- Delegate Clay Athey provided a legislative update since the General Assembly convened.
- Charlie Tresker spoke of truck traffic problems on Atoka and Zulla Roads.
- Rob Marino, Director of Fauquier Free Clinic, offered an update on current projects and requested the Board to consider a donation of additional office space.
- Bob Masek, Marshall District, spoke about increased truck traffic and asked that semi-tractor trailers be banned from ancillary roads.

PROCLAMATIONS AND RECOGNITIONS

- Mr. Graham presented a proclamation, designating June 22-23, 2002 as Amateur Radio Weekend, to Tom Beavers.
- Mr. Winkelmann read a proclamation recognizing Virginia Allison's 101st birthday.
- Mr. Winkelmann read a proclamation recognizing Delila Laviolette's 100th birthday.
- Mr. Winkelmann read a proclamation recognizing Chuck Hoysa's retirement from the Fauquier Extension Service.

CONSENT AGENDA

Ms. McCamy moved to adopt the following Consent Agenda items. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*
Abstention: *None*

Approval of Minutes for the April 15, 2002 Board of Supervisors Regular Meeting

A Resolution to Award a Bid for the Construction of Cell #3 at the Solid Waste Landfill

RESOLUTION

A RESOLUTION TO AWARD A BID FOR THE CONSTRUCTION OF
CELL #3 AT THE SOLID WASTE LANDFILL

WHEREAS, Fauquier County Landfill operations require the opening of Cell #3 in conformance with the State Permit for landfill operations; and

WHEREAS, engineers have designed the new cell in conformance with State requirements; and

WHEREAS, bids for the project have been received and reviewed and references checked on the apparent low bidder; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 2002, That the bid of R.M. Soderquest, Inc., in the amount of \$1,094,110.00 be, and is hereby, awarded.

A Resolution to Authorize a Public Hearing to Amend the FY 2002 Budget in the Amount of \$880,953

RESOLUTION

A RESOLUTION AUTHORIZING A PUBLIC HEARING TO AMEND THE
FY 2002 ADOPTED BUDGET IN THE AMOUNT OF \$880,953

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, the Fauquier County Board of Supervisors adopted the Fauquier County FY 2002 Budget on March 19, 2001; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing or decreasing the total budget; and

WHEREAS, the Finance Committee has recommended appropriation of \$262,183 and transfer of \$618,770 for the purposes set forth below; and

WHEREAS, the Code of Virginia requires local jurisdictions to hold a public hearing for any amendment to the adopted budget exceeding the lesser of \$500,000 or one percent (1%) of the total budget; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 2002, That the County Administrator be, and is hereby, directed to advertise a public hearing to consider amending the Fauquier County FY 2002 Budget in the amount of \$880,953, as follows:

<u>Amount</u>	<u>Source of Funds</u>	<u>Issue</u>
\$2,785	State	Prisoner Extradition
\$452	Federal	Share of Forfeiture Proceeds – Drug Enforcement Agency (DEA)
\$1,156	Federal	DEA Overtime Reimbursement
\$18,775	Insurance Recovery	Sheriff's Office Motor Vehicles
\$9,100	State	Mentor Grant
\$16,783	State	Bright Stars – At Risk Children
\$17,342	Federal	Carl Perkins Vocation Equipment
\$8,900	Contingency Reserve	Upperville Day Care
\$39,000	Contingency Reserve	Swimming Pool – Vint Hill
\$61,345	Cable TV Revenue	Broadcast Equipment Purchase
\$3,148	Capital Outlay	Computers (2)
\$424,972	School Funds	Textbooks
\$65,500	Personal Property Revenue	Desktop Software
\$9,945	Zoning Fees	Replacement Copier
\$20,000	Special Exception and Plat & Site Plan Fees	Traffic Impact Analysis
\$16,000	Capital Improvement	Vint Hill Gym
\$15,750	Information Resource	Contracted Services
\$150,000	Personal Property Revenue	Mobile Data Terminals
<hr/> \$880,953		TOTAL

A Resolution to Authorize Grant Acceptance and Appropriation of Funds for the Piedmont Dispute Resolution Center's Restorative Justice Program

RESOLUTION

A RESOLUTION TO AUTHORIZE GRANT ACCEPTANCE AND APPROPRIATION OF FUNDS FOR THE PIEDMONT DISPUTE RESOLUTION CENTER'S RESTORATIVE JUSTICE PROGRAM

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the operation of an annual budget for Fauquier County; and

WHEREAS, this annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, during the course of the fiscal year, certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, funds needed to increase a department's budget must come from internal adjustments or from an outside source such as State, Federal, grant or other local sources such as the County's Reserve for Contingency; and

WHEREAS, Fauquier County has applied for and been awarded a Federal grant in the amount of \$25,732 to allow the Piedmont Dispute Resolution Center to conduct juvenile accountability conferencing for the Fauquier County court system; and

WHEREAS, the Piedmont Dispute Resolution Center has requested the appropriation of \$25,732 for this grant from Federal funding; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 2002, That the County Administrator be, and is hereby, authorized to accept the Federal grant in the amount of \$25,732 for the Piedmont Dispute Resolution Center; and, be it

RESOLVED FURTHER, That the sum of \$25,732 is appropriated as follows, effective upon adoption of this resolution:

<u>Source</u>	<u>FROM Code</u>	<u>Amount</u>	<u>Department</u>	<u>TO Code</u>	<u>Amount</u>
Federal Funds	3-100-33100-0180	\$25,732	Piedmont Dispute Resolution Center	4-100-81600-5694	\$25,732
	TOTAL	\$25,732		TOTAL	\$25,732

A Resolution to Adopt the 2002-2003 through 2007-2008 Secondary Six-Year Plan and the 2002-2003 Fiscal Year Budget of the Virginia Department of Transportation

RESOLUTION

A RESOLUTION TO ADOPT THE 2002-2003 THRU 2007-2008
SECONDARY ROAD SIX-YEAR PLAN
AND THE 2002-2003 FISCAL YEAR BUDGET

WHEREAS, the 2002-2003 thru 2007-2008 Secondary Construction Six-Year Plan and the 2002-2003 Fiscal Year Budget for Fauquier County were duly advertised for public hearing and said public hearing was held on November 6, 2001, and the items brought forth at the public hearing were duly considered; and

WHEREAS, on May 24, 2002, the Fauquier County Transportation Committee recommended adoption of the Secondary Road Six-Year Plan for 2002- 2003 through 2007-2008 transportation priorities, which are outlined herein; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day June 2002, That the Board hereby adopts this 2002-2003 thru 2007-2008 Secondary Construction Six Year Plan and the 2002-2003 Fiscal Year Budget as follows:

Priority No.	Magisterial District	Route No.	PPMS No.	Route Name	Description of Work
1.	Marshall	0688	8122	Leeds Manor Road	Construct Bridge and Approaches
2.	Marshall	0688	34005	Leeds Manor Road	Cut Road Slope to Improve Sight Distance
3.	Marshall	0737	15421	Conde Road	Reconstruct Approaches and Bridge
4.	Cedar Run	0612	52234	Tacketts Mill Road	Improve Sight Distance (HES Project)
5.	Center	1405	33997	Cedar Run Drive	Improve Right Turn Lane
6.	Scott/Center	0605	56090	Airlie Road	Engineer Study to Determine Improvement
7.	Cedar Run	0779	15422	Turkey Run Road	Reconstruct Roadway
8.	Marshall	0689	55126	Dudie Road	Spot Improvements
9.	Marshall	0728	8129	Moss Hollow Road	Reconstruct Roadway
10.	Marshall	0770	11176	Putnam Mill Road	Reconstruct Roadway
11.	Marshall	0688	33998	Leeds Manor Road	Improvement for Curve and Alignment
12.	Cedar Run	0607	11140	Shenandoah Path	Reconstruct Roadway
13.	Cedar Run	0748	56092	Eskridges Lane	Reconstruct Roadway

14.	Center/Scott	0605	11217	Dumfries Road	Construct Turn Lane and Box Culvert
15.	Scott	0673	8117	Baldwin Road	Reconstruct Roadway
16.	Marshall	0798	58119	Dulins Ford Road	Reconstruct Roadway
17.	Cedar Run	0605	17138	Dumfries Road	Reconstruct Roadway
18.	Cedar Run	0811	52238	Windwright Lane	Reconstruct Roadway
19.	Cedar Run	0806	18168	Elk Run Road	Improve Curve at Two Locations
20.	Cedar Run	0790	50995	Boteler Road	Reconstruct Roadway
21.	Center/Scott	0605	11216	Dumfries Road	Construct Turning Lane
22.	Lee	0800	58117	Old Culpeper Road	Construct Turning lane
23.	Lee	1201	58118	Lucky Hill Road	Reconstruct Roadway
24.	Marshall	0738		Wilson Road	Improve Sight Distance
25.	Lee	0751	52239	Belcoir Road	Reconstruct Roadway
26.	Lee	0655	58123	Lucky Hill Road	Reconstruct Bridge and Approaches
27.	Cedar Run	0806	New	Elk Run Road	Close Open Ditches
28.	Marshall	0688		Leeds Manor Road	Cut Road to Improve Sight Distance
29.	Lee	0663		Covingtons Corner Road	Construct Turning Lane
30.	Marshall	0628		Cannonball Gate Road	Reconstruct Roadway
31.	Lee	0674		Green Road	Improvement Sight Distance
32.	Marshall	0678		Waterloo Road	Improve sight Distance
33.	Center	0678	11159	Academy Hill Road	Reconstruct Bridge and Approaches
34.	Marshall	0645	2413/2414	Tapps Ford Road	Reconstruct Bridge and Approaches

A Resolution to Renew the Fauquier County Independent Auditor Contract #29-98C

RESOLUTION

A RESOLUTION TO RENEW THE FAUQUIER COUNTY INDEPENDENT AUDITOR CONTRACT #29-98C

WHEREAS, the current contract with Robinson, Farmer, Cox Associates provides for renewals; and

WHEREAS, Fauquier County will have a new Finance Director and School Superintendent who will need to regularly confer with the County's independent auditor; and

WHEREAS, Robinson, Farmer, Cox Associates has assigned a senior partner, with more than a decade of direct working experience with Fauquier County, to lead its audit team; and

WHEREAS, Robinson, Farmer, Cox Associates performs more County audits in Virginia than any other accounting firm; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 2002, That the contract between Fauquier County and Robinson, Farmer, Cox Associates (Contract #29-98C) be, and is hereby, renewed through March 31, 2005, in accordance with pertinent provisions of Section 2.2 of the aforesaid contract.

A Resolution Authorizing a Change from Full-Time Temporary Social Work Aide Within the Department of Social Services to Full-Time Permanent Social Worker

RESOLUTION

A RESOLUTION AUTHORIZING A CHANGE FROM FULL-TIME TEMPORARY SOCIAL WORK AIDE WITHIN THE DEPARTMENT OF SOCIAL SERVICES TO FULL-TIME PERMANENT SOCIAL WORKER

WHEREAS, Social Services has, within its Department, a temporary social work aide position that has been funded as a part of three stable Federal grant allocations; and

WHEREAS, these stable Federal grant allocations are the Safe and Stable Families Grant, the Foster and Adoption Parent Training Grant, and the Day Care Initiative; and

WHEREAS, these grants are used to recruit, train and support mentors, foster and adoptive parents and registered child care providers; and

WHEREAS, the Department of Social Services has studied the models used to deliver services under the grants; and

WHEREAS, the Department of Social Services has found the scope and continuity of efforts to be lacking; and

WHEREAS, over the past year, the skills of an aide were utilized to assist in all three grants; and

WHEREAS, it has become clear that the grants share commonalities that would benefit from upgrading the full-time temporary social work aide to full-time permanent social worker; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 2002, That the full-time temporary social work aide position within the Department of Social Services is upgraded to full-time permanent social worker, effective June 17, 2002.

A Resolution to Revise Selected Fauquier County Government Human Resources Policies

RESOLUTION

A RESOLUTION TO REVISE SELECTED FAUQUIER COUNTY GOVERNMENT HUMAN RESOURCES POLICIES

WHEREAS, the Fauquier County Board of Supervisors recognizes the need and the importance of maintaining up-to-date personnel policies; and

WHEREAS, the Fauquier County Government Human Resources Policies Manual is being reviewed for necessary additions, revisions and deletions; and

WHEREAS, a review has been conducted with respect to selected policies; and

WHEREAS, recommended changes are contained in the following policies dated June 17, 2002:

Section 2J	Leave Donation
Section 15	Uniforms, Protective Clothing, and Safety Equipment
Section 17	Employee Performance Evaluation; and

WHEREAS, the following policy is recommended for removal from the Human Resources Policies Manual and inclusion in the Administrative Procedures Manual:

Section 40 Employee Assistance Program;

now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 2002, That the revisions made to the Human Resources Policy Manual be approved effective June 17, 2002.

A Resolution to Establish the Board of Supervisors' Legislative Proposals for the 2003 General Assembly

RESOLUTION

A RESOLUTION TO ESTABLISH THE BOARD OF SUPERVISORS'
LEGISLATIVE PROPOSALS FOR THE 2003 GENERAL ASSEMBLY

WHEREAS, the County of Fauquier has a variety of issues and interests which require legislative action by the Virginia General Assembly; and

WHEREAS, the Virginia Association of Counties (VACo) has requested submission of such legislative proposals for consideration in the 2003 VACo Legislative Program; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 2002, That the following items be, and are hereby, adopted as Fauquier County's legislative issues for consideration by the 2003 General Assembly.

LEGISLATIVE PRIORITIES:

- Adequate Public Facilities - Fauquier County supports Adequate Public Facilities legislation, which would permit high growth localities, as part of their subdivision or zoning ordinance, to determine whether public facilities are adequate to support the services which will be required by the proposed subdivision or rezoning.
- Impact Fees - Fauquier County continues to support legislation that would allow localities the option to assess impact fees for School Construction and other essential government services in lieu of voluntary cash proffers.
- School Funding - Fauquier County supports the full funding of the State's share of the Standards of Quality, full funding of any categorical educational mandate,

including pay raises, and full funding of the State's portion of the Standards of Learning relating to instructional technology. Fauquier County also supports increased funding for School Construction.

- Cost of Competing - Fauquier County respectfully requests those State legislators representing Fauquier County introduce legislation to incorporate Fauquier County into the Cost of Competing School Funding Formula.
- Local Revenue Authority - Fauquier County opposes any measure that would eliminate or reduce any local government revenue authority.
- Local Government Zoning and Land Use Authority - Fauquier County opposes any further dilution of the zoning and land use regulatory authority of local governments.
- Revenue Sharing - Fauquier County strongly supports any legislative proposal that results in the State sharing a portion of its income tax revenues (within its existing rate structure) with localities and which provides local flexibility in determining how it should be used.
- Increased Local Authority - Fauquier County supports legislation to provide for increased local authority in planning, zoning and revenue matters through a statutory relaxation of the Dillon Rule. The relaxation of the Dillon Rule should not, however, be accompanied by a shift of responsibility for various programs from the state government to local government.
- Purchase of Development Rights - Fauquier County supports increased state funding for the purchase of conservation easements and other land conversation needs.
- Transfer Tax - Fauquier County supports legislation that would enable counties and cities, through local option, to enact a real estate transfer tax.
- Land Use Taxation - Fauquier County supports legislation that would lengthen the Use Value Taxation rollback period to at least ten years.

A Resolution to Refer to the Fauquier County Planning Commission a Zoning Ordinance Text Amendment to Section 5-205.5

RESOLUTION

A RESOLUTION TO REFER TO THE FAUQUIER COUNTY PLANNING COMMISSION A ZONING ORDINANCE TEXT AMENDMENT TO SECTION 5-205.5 (ADDITIONAL STANDARDS FOR AUTO REPAIR GARAGES)

WHEREAS, the Fauquier County Zoning Ordinance currently permits auto repair garages as residential businesses, with special permit approval, following a public hearing by the Fauquier County Board of Zoning Appeals (BZA); and

WHEREAS, the additional standards for auto repair garages state the use is limited to a maximum of four (4) vehicles at any time; and

WHEREAS, this Zoning Ordinance text amendment would increase the maximum number of vehicles permitted to six (6); and

WHEREAS, the Fauquier County Board of Zoning Appeals would remain the granting authority following a public hearing which gives the Fauquier County Board of Zoning Appeals the latitude to judge each application separately; and

WHEREAS, the proposed amendment would not alter the screening, storage and other regulations currently found in the additional standards; and

WHEREAS, the Fauquier County Board of Supervisors has determined that such an amendment would be in keeping with the intent of the Zoning Ordinance as it relates to residential businesses; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 2002, That the proposed ordinance amending Section 2-505.5 to increase the maximum number of permitted vehicles associated with an auto repair garage from four (4) to six (6) vehicles while maintaining the additional standards currently found in the Zoning Ordinance be, and is hereby, referred to the Fauquier County Planning Commission for appropriate consideration and action.

A Resolution to Refer to the Fauquier County Planning Commission a Zoning Ordinance Text Amendment to Section 3-314.10

RESOLUTION

A RESOLUTION TO REFER TO THE FAUQUIER COUNTY PLANNING
COMMISSION A ZONING ORDINANCE TEXT AMENDMENT
TO SECTION 3-314.10 (FARM EQUIPMENT SALES, RENTAL AND SERVICE)

WHEREAS, the Fauquier County Zoning Ordinance currently does not permit farm equipment sales, rentals and service in the Rural Residential-2 zoning district; and

WHEREAS, such establishments are permitted in the Rural Agricultural zoning district, with special permit approval by the Fauquier County Board of Zoning Appeals, following a public hearing; and

WHEREAS, site plan approval is also required; and

WHEREAS, the proposed amendment would mandate the same requirements for this use in a Rural Residential-2 zoning district; and

WHEREAS, the Fauquier County Board of Supervisors has determined that such an amendment would be in keeping with the intent of the Zoning Ordinance as it relates to the rural zoning districts; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 2002, That the proposed ordinance amending Section 3-314.10 to allow farm equipment sales, rentals and service establishments in the Rural Residential-2 zoning district, following special permit approval by the Fauquier County Board of Zoning Appeals and obtaining an approved site plan,

be, and is hereby, referred to the Fauquier County Planning Commission for appropriate consideration and action.

A Resolution Approving an Exception for Travel Expenses in Accordance with the Travel Policy and Procedures

RESOLUTION

A RESOLUTION APPROVING AN EXCEPTION FOR TRAVEL EXPENSES IN
ACCORDANCE WITH THE TRAVEL POLICY AND PROCEDURES

WHEREAS, the Fauquier County Board of Supervisors had adopted Travel Policy and Procedures for which approval of expenditures in excess of \$1,000.00 are required; and

WHEREAS, the Warrenton-Fauquier Joint Communications Center Director is requesting approval to attend the 68th Annual APCO International Conference and Exposition scheduled for August 11-15, 2002 in Nashville, Tennessee, which is anticipated to cost \$1,305.00, to be paid for from funds budgeted in Fiscal Year 2002; and

WHEREAS, the Director indicates that conference highlights include Telecommunicator Recruitment and Retention, Management and Planning, Emerging Technology/Training, 911/FCC/ADA Regulatory Issues, Communications and Information Systems Design and Support, and Global Issues in Telecommunications; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 2002, That the Warrenton-Fauquier Joint Communications Center be, and is hereby, granted an exception to the Travel Policy and Procedures and the training and travel expenses for the aforesaid conference.

Final Subdivision Plan for Cedar Brooke Phases 5, 6 and 7 (Formerly Reynard's Crossing), Lee Magisterial District

No action required.

A Resolution Authorizing the Extension of the Warrenton-Fauquier Airport Fixed Base Operator Lease with Tracey Corporation Until August 31, 2002

RESOLUTION

A RESOLUTION AUTHORIZING THE EXTENSION OF THE WARRENTON-FAUQUIER
AIRPORT FIXED BASE OPERATOR LEASE WITH TRACEY CORPORATION UNTIL
AUGUST 31, 2002

WHEREAS, major construction associated with runway extension and widening is anticipated at the Warrenton-Fauquier Airport in Calendar Year 2002; and

WHEREAS, the Warrenton-Fauquier Airport Committee is working with the current Fixed Base Operator to make changes in the lease agreement; and

WHEREAS, the current Fixed Base Operator lease agreement with Tracey Corporation is scheduled to expire on June 30, 2002; and

WHEREAS, the Warrenton-Fauquier Airport Committee has determined that it is in the best interest of all parties to extend the lease for the Fixed Base Operator for a period of two (2) months in order to provide for a smooth transition to a revised approach to the leasing of facilities at the Airport; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 2002, That the County Administrator be, and is hereby, authorized to sign an extension of the Fixed Base Operator lease with Tracey Corporation, for a period of two (2) months, such that the lease shall terminate on 31 August 2002.

A RESOLUTION DIRECTING THE COUNTY ADMINISTRATOR TO CEASE ALL ACTIONS NECESSARY TO INSTITUTE THE ROAD ABANDONMENT PROCESS FOR A PORTION OF WESLEY CHAPEL ROAD WHICH HAS BEEN DISCONTINUED FOR MAINTENANCE AND IS NOT CURRENTLY IN THE STATE SECONDARY SYSTEM OF HIGHWAYS

Mr. Atherton moved to adopt the following resolution. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

RESOLUTION

A RESOLUTION DIRECTING THE COUNTY ADMINISTRATOR TO CEASE ALL ACTIONS NECESSARY TO INSTITUTE THE ROAD ABANDONMENT PROCESS FOR A PORTION OF WESLEY CHAPEL ROAD WHICH HAS BEEN DISCONTINUED FOR MAINTENANCE AND IS NOT CURRENTLY IN THE STATE SECONDARY SYSTEM OF HIGHWAYS

WHEREAS, on March 18, 2002, the Board of Supervisors adopted a resolution directing that the County Administrator take all actions necessary to institute the road abandonment process for the aforesaid portion of Wesley Chapel Road; and

WHEREAS, the Board of Supervisors has received a request from Lori Bakewell, who initiated the road abandonment process, that the Board cease taking actions necessary to abandon the aforesaid road; and

WHEREAS, on May 29, 2002, the Fauquier County Transportation Committee unanimously voted to withdraw its recommendation to the Board of Supervisors that it abandon a portion of Wesley Chapel Road; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 2002, That the County Administrator be, and is hereby, directed to cease taking all actions necessary to institute the road abandonment process for the approximately ¼ mile of Wesley Chapel Road, as shown on the Fauquier County Geographic Information System plat dated March 5, 2002; and, be it

RESOLVED FURTHER, That the Fauquier County Administrator is directed to forward a copy of this resolution to the Resident Engineer for the Virginia Department of Transportation.

A RESOLUTION TO APPROVE / DENY THE REQUEST OF DOMINION VIRGINIA POWER TO BE RELIEVED OF THE OBLIGATION SET FORTH IN CONDITION NUMBER 3 OF THE FINAL ORDER OF THE BOARD DATED NOVEMBER 5, 2001 WITH RESPECT TO COOL LAWN FARMS AND THE RITCHIE PROPERTY

Ms. McCamy moved to table for thirty days consideration of a resolution to approve or deny the request of Dominion Virginia Power to be relieved of the obligation set forth in condition #3 of the Final Order of the Board dated November 5, 2001, with respect to Cool Lawn Farms and the Ritchie property. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None
Abstention: None

A RESOLUTION TO AWARD A BID FOR THE CONSTRUCTION OF THE BEALETON BRANCH LIBRARY

Ms. McCamy moved to adopt the following. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None
Abstention: None

RESOLUTION

A RESOLUTION TO AWARD A BID FOR THE CONSTRUCTION OF THE
BEALETON BRANCH LIBRARY

WHEREAS, the Library Board has been working with the project architect to design the Bealeton Branch Library; and

WHEREAS, bids have been received and reviewed for the project and references checked on the apparent low bidder; and

WHEREAS, funds and financing have been approved for the Bealeton Branch Library; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 2002, That the bid of Taft Construction Company, in the amount of \$1,379,000.00 be, and is hereby, awarded.

APPOINTMENTS

By unanimous consent, the following appointments were approved:

- Water and Sanitation Authority Liaison Committee - Sharon Grove McCamy, Lee District Representative, with a term to expire June 30, 2006.
- Water and Sanitation Authority Liaison Committee - Harry Atherton, Marshall District Representative, with a term to expire June 30, 2006.
- Capital Improvement Program Committee - Kitty Smith, Marshall District Representative, with a term to expire December 31, 2003.
- Rappahannock Emergency Medical Services Council - Kaye Horst, Planning District 9 Representative, with a term to expire June 30, 2005.

SUPERVISORS TIME

- Mr. Atherton responded to truck traffic complaints and offered to address specific issues with the Transportation Committee, if community members bring issues to that Committee.
- Ms. McCamy gave a schedule of the upcoming Transportation Committee meetings, advising that the Committee meets on the last Wednesday of each month.
- Mr. Weeks welcomed the opportunity to speak with anyone regarding truck traffic issues in Scott District. He also spoke of the Marshall Middle School expansion and renovations and expressed thanks to Ms. Christine Moschetti, Principal, for hosting this meeting at the school. Mr. Weeks said he was gratified to have such a large citizen turnout for this meeting.
- Mr. Graham stated he would be open to conversation about truck traffic, or any other transportation issues with VDOT.

ANNOUNCEMENTS

Mr. Lee had no announcements.

12th ADDITION TO THE MARSHALL/WARRENTON AGRICULTURAL AND FORESTAL DISTRICT; and 2nd ADDITION TO PARIS VALLEY AGRICULTURAL AND FORESTAL DISTRICT; and 10th ADDITION TO THE PLAINS AGRICULTURAL AND FORESTAL DISTRICT; and 12th ADDITION TO SPRINGS VALLEY AGRICULTURAL AND FORESTAL DISTRICT; and 6th ADDITION TO COBBLER MOUNTAIN AGRICULTURAL AND FORESTAL DISTRICT; and 5th ADDITION TO THUMB RUN AGRICULTURAL AND FORESTAL DISTRICT; and 9th ADDITION TO UPPERVILLE AGRICULTURAL AND FORESTAL DISTRICT

A public hearing was held to consider additions to the Agricultural and Forestal Districts of Marshall/Warrenton, Paris Valley, The Plains, Springs Valley, Cobbler Mountain, Thumb Run, and Upperville. No one spoke. The public hearing was closed. Mr. Atherton moved to adopt the following Ordinances. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*
Abstention: *None*

ORDINANCE

AN ORDINANCE TO APPROVE THE 12TH ADDITION TO THE MARSHALL/WARRENTON AGRICULTURAL AND FORESTAL DISTRICT WITHIN FAUQUIER COUNTY

WHEREAS, Section 15.2-4310, Code of Virginia (1950), as amended, allows additional parcels of land to be added to an existing district following the process described for the creation of a new district; and

WHEREAS, all requirements of Section 15.2-4310, Code of Virginia (1950), as amended, have been met; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 17th day of June 2002, That the 12th Addition to the Marshall/Warrenton Agricultural and Forestal District be, and is hereby, adopted as follows:

1. That this addition is land which requires conservation and protection for the production of food and other agricultural and forestal products and, as such, is a valuable natural and ecological resource providing open space and clean air and adequate safe water supplies and other aesthetic purposes and is, therefore, valuable to public interest.
2. That this 12th Addition to the Marshall/Warrenton Agricultural and Forestal District is hereby added this 17th day of June 2002, in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4310, Code of Virginia (1950), as amended, and for a period of eight (8) years.
3. That the 12th Addition shall consist of the following parcel(s):

Paul L. and Suzanne Ashby	6956-47-1441-000	20.2474 acres
Paul L. and Suzanne Ashby	6956-37-5005-000	7.8607 acres
Audrey Ashby	6956-16-5119-000	1.7500 acres
Audrey Ashby	6956-16-3342-000	.7500 acres
Audrey Ashby	6956-17-4243-000	20.0000 acres
Charles C. and Deborah A. Cornwell	6956-48-3351-000	33.2741 acres;

and, be it

FURTHER ORDAINED, That the same conditions and restrictions shall apply, to wit:

4. That, pursuant to Title 15.2, Chapter 43, Section 15.2-4312, (b) of the Code of Virginia (1950), as amended, the Fauquier County Zoning Ordinance shall apply except as modified below. The modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
5. All uses allowed by-right in the applicable zoning district(s) for each parcel shall require a special exception permit except that farming and single-family dwellings on a legally recorded parcel of record shall be permitted by-right.
6. Subdivision of land as defined in Article 2-39 of the Fauquier County Subdivision Ordinance is not permitted.
7. No special exception shall be in conflict with the purposes for which the District was created.
8. That these parcels qualify for land use value assessment provided that the parcels meet the criteria set forth in Article 4 of Section 58.1-3229 et seq. of Chapter 32 of Title 58.1 of the Code.
9. That the owners of land within the District shall not terminate the District, except in accordance with Section 15.2-4314 of the Code.
10. That lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4314 of the Code.
11. That parcels under twenty-five (25) acres shall be excluded except where exempted by the Board.
12. That if either of the parcels is subdivided, boundary adjusted, or sold, then the parcels shall be removed from the District.
13. That the District will expire on January 20, 2005.

ORDINANCE

AN ORDINANCE TO APPROVE THE 2nd ADDITION TO THE PARIS VALLEY AGRICULTURAL AND FORESTAL DISTRICT WITHIN FAUQUIER COUNTY

WHEREAS, Section 15.2-4310, Code of Virginia (1950), as amended, allows additional parcels of land to be added to an existing district following the process described for the creation of a new district; and

WHEREAS, all requirements of Section 15.2-4310, Code of Virginia (1950), as amended have been met; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 17th day of June 2002, That the 2nd Addition to the Paris Valley Agricultural and Forestal District be, and is hereby, adopted as follows:

1. That this addition is land which requires conservation and protection for the production of food and other agricultural and forestal products and, as such, is a valuable natural and ecological resource providing open space and clean air and adequate safe water supplies and other aesthetic purposes and is, therefore, valuable to public interest.
2. That this 2nd Addition to the Paris Valley Agricultural and Forestal District is hereby added this 17th day of June, 2002, in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4310, Code of Virginia (1950), as amended, and for a period of eight (8) years.
3. That the 2nd Addition shall consist of the following parcel(s):

John E. and Antoinette M. Hudson	6023-86-4564-000	260.963 acres
John E. and Antoinette M. Hudson	6023-94-6137-000	2.955 acres;

and, be it

FURTHER ORDAINED, That the same conditions and restrictions shall apply, to wit:

4. That pursuant to Title 15.2, Chapter 43, Section 15.2-4312, (b) of the Code of Virginia (1950), as amended, the Fauquier County Zoning Ordinance shall apply, except as modified below. The modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
5. All uses allowed by-right in the applicable zoning district(s) for each parcel shall require a special exception permit, except that farming and single-family dwellings on a legally recorded parcel of record shall be permitted by-right.
6. Subdivision of land as defined in Article 2-39 of the Fauquier County Subdivision Ordinance is not permitted.
7. No special exception shall be in conflict with the purposes for which the District was created.
8. That these parcels qualify for land use value assessment provided that the parcels meet the criteria set forth in Article 4 of Section 58.1-3229 et seq. of Chapter 32 of Title 58.1 of the Code.

9. That the owners of land within the District shall not terminate the District, except in accordance with Section 15.2-4314 of the Code.
10. That lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4314 of the Code.
11. That parcels under twenty-five (25) acres shall be excluded, except where exempted by the Board.
12. That if any of the 260.963-acre parcel is subdivided or boundary adjusted to below 25 acres then the parcel shall be removed from the district. In addition, if any of the 2.955-acre parcel is subdivided, boundary adjusted, or sold, then the parcel shall be removed from the District.
13. That the District will expire on May 15, 2006.

ORDINANCE

AN ORDINANCE TO APPROVE THE 10TH ADDITION TO THE PLAINS AGRICULTURAL AND FORESTAL DISTRICT WITHIN FAUQUIER COUNTY

WHEREAS, Section 15.2-4310, Code of Virginia (1950), as amended, allows additional parcels of land to be added to an existing district following the process described for the creation of a new district; and

WHEREAS, all requirements of Section 15.2-4310, Code of Virginia (1950), as amended have been met; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 17th day of June 2002, That the 10th Addition to the Plains Agricultural and Forestal District be, and is hereby, adopted as follows:

1. That this addition is land which requires conservation and protection for the production of food and other agricultural and forestal products and, as such, is a valuable natural and ecological resource providing open space and clean air and adequate safe water supplies and other aesthetic purposes and is, therefore, valuable to public interest.
2. That this 10th Addition to The Plains Agricultural and Forestal District is hereby added this 17th day of June 2002, in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4310, Code of Virginia (1950), as amended, and for a period of eight (8) years.
3. That the 10th Addition shall consist of the following parcel(s):

Roberta Jeffries	6988-27-8257-000	87.00 acres
Privilege, Inc. / Lourdes Peralta, President	7001-99-1604-000	62.66 acres;

and, be it

FURTHER ORDAINED, That the same conditions and restrictions shall apply to wit:

4. That pursuant to Title 15.2, Chapter 43, Section 15.2-4312, (b) of the Code of Virginia (1950), as amended, the Fauquier County Zoning Ordinance shall apply except as modified below. The modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
5. All uses allowed by-right in the applicable zoning district(s) for each parcel shall require a special exception permit except that farming and single-family dwellings on a legally recorded parcel of record shall be permitted by-right.
6. Subdivision of land as defined in Article 2-39 of the Fauquier County Subdivision Ordinance is not permitted.
7. No special exception shall be in conflict with the purposes for which the District was created.
8. That these parcels qualify for land use value assessment, provided that the parcels meet the criteria set forth in Article 4 of Section 58.1-3229 et seq. of Chapter 32 of Title 58.1 of the Code.
9. That the owners of land within the District shall not terminate the District, except in accordance with Section 15.2-4314 of the Code.
10. That lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4314 of the Code.
11. That parcels under twenty-five (25) acres shall be excluded, except where exempted by the Board.
12. That if the parcel is subdivided or boundary adjusted to below 25 acres, then the parcel shall be removed from the District.
13. That the District will expire on January 20, 2005.

ORDINANCE

AN ORDINANCE TO APPROVE THE 12TH ADDITION TO THE SPRINGS VALLEY AGRICULTURAL AND FORESTAL DISTRICT WITHIN FAUQUIER COUNTY

WHEREAS, Section 15.2-4310, Code of Virginia (1950), as amended, allows additional parcels of land to be added to an existing district following the process described for the creation of a new district; and

WHEREAS, all requirements of Section 15.2-4310, Code of Virginia (1950), as amended have been met; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 17th day of June 2002, That the 12th Addition to the Springs Valley Agricultural and Forestal District be, and is hereby, adopted as follows:

1. That this addition is land which requires conservation and protection for the production of food and other agricultural and forestal products and, as such, is a valuable natural and ecological resource providing open space and clean air and adequate safe water supplies and other aesthetic purposes and is, therefore, valuable to public interest.
2. That this 12th Addition to the Springs Valley Agricultural and Forestal District is hereby added this 17th day of June 2002, in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4310, Code of Virginia (1950), as amended, and for a period of eight (8) years.
3. That the 12th Addition shall consist of the following parcel(s):

Jeffrey F. King	6972-23-8203-000	58.852 acres
Sharon Maloney	6972-34-4551-000	54.483 acres

and, be it

FURTHER ORDAINED, That the same conditions and restrictions shall apply, to wit:

4. That pursuant to Title 15.2, Chapter 43, Section 15.2-4312, (b) of the Code of Virginia (1950), as amended, the Fauquier County Zoning Ordinance shall apply except as modified below. The modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
5. All uses allowed by-right in the applicable zoning district(s) for each parcel shall require a special exception permit except that farming and single-family dwellings on a legally recorded parcel of record shall be permitted by-right.
6. Subdivision of land as defined in Article 2-39 of the Fauquier County Subdivision Ordinance is not permitted.
7. No special exception shall be in conflict with the purposes for which the District was created.
8. That these parcels qualify for land use value assessment, provided that the parcels meet the criteria set forth in Article 4 of Section 58.1-3229 et seq. of Chapter 32 of Title 58.1 of the Code.
9. That the owners of land within the District shall not terminate the District, except in accordance with Section 15.2-4314 of the Code.
10. That lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4314 of the Code.
11. That parcels under twenty-five (25) acres shall be excluded, except where exempted by the Board.

12. That if the parcel is subdivided or boundary adjusted to below twenty (25) acres then the parcel shall be removed from the District.
13. That the District will expire on January 10, 2003.

ORDINANCE

AN ORDINANCE TO APPROVE THE 6TH ADDITION TO THE COBBLER MOUNTAIN AGRICULTURAL AND FORESTAL DISTRICT WITHIN FAUQUIER COUNTY

WHEREAS, Section 15.2-4310, Code of Virginia (1950), as amended, allows additional parcels of land to be added to an existing district following the process described for the creation of a new district; and

WHEREAS, all requirements of Section 15.2-4310, Code of Virginia (1950), as amended, have been met; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 17th day of June 2002, That the 6th Addition to the Cobbler Mountain Agricultural and Forestal District be, and is hereby, adopted as follows:

1. That this addition is land which requires conservation and protection for the production of food and other agricultural and forestal products and, as such, is a valuable natural and ecological resource providing open space and clean air and adequate safe water supplies and other aesthetic purposes and is, therefore, valuable to public interest.
2. That this 6th Addition to the Cobbler Mountain Agricultural and Forestal District is hereby added this 17th day of June 2002, in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4310, Code of Virginia (1950), as amended, and for a period of eight (8) years.
3. That the 6th Addition shall consist of the following parcel(s):

Thomas and Patricia Fabyanic	6938-85-7801-000	28.172 acres
Patricia Barraza Vos	6040-55-7168-000	50.000 acres;

and, be it

FURTHER ORDAINED, That the same conditions and restrictions shall apply, to wit:

4. That pursuant to Title 15.2, Chapter 43, Section 15.2-4312, (b) of the Code of Virginia (1950), as amended, the Fauquier County Zoning Ordinance shall apply, except as modified below. The modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
5. All uses allowed by-right in the applicable zoning district(s) for each parcel shall require a special exception permit, except that farming and single-family dwellings on a legally recorded parcel of record shall be permitted by-right.

6. Subdivision of land as defined in Article 2-39 of the Fauquier County Subdivision Ordinance is not permitted.
7. No special exception shall be in conflict with the purposes for which the District was created.
8. That these parcels qualify for land use value assessment, provided that the parcels meet the criteria set forth in Article 4 of Section 58.1-3229 et seq. of Chapter 32 of Title 58.1 of the Code.
9. That the owners of land within the District shall not terminate the District, except in accordance with Section 15.2-4314 of the Code.
10. That lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4314 of the Code.
11. That parcels under twenty-five (25) acres shall be excluded, except where exempted by the Board.
12. That if the parcel is subdivided or boundary adjusted to below twenty-five (25) acres, then the parcel shall be removed from the district.
13. That the District will expire on March 6, 2006.

ORDINANCE

AN ORDINANCE TO APPROVE THE 5TH ADDITION TO THE THUMB RUN AGRICULTURAL AND FORESTAL DISTRICT WITHIN FAUQUIER COUNTY

WHEREAS, Section 15.2-4310, Code of Virginia (1950), as amended, allows additional parcels of land to be added to an existing district following the process described for the creation of a new district; and

WHEREAS, all requirements of Section 15.2-4310, Code of Virginia (1950), as amended, have been met; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 17th day of June 2002, That the 5th Addition to the Thumb Run Agricultural and Forestal District be, and is hereby, adopted as follows:

1. That this addition is land which requires conservation and protection for the production of food and other agricultural and forestal products and, as such, is a valuable natural and ecological resource providing open space and clean air and adequate safe water supplies and other aesthetic purposes and is, therefore, valuable to public interest.
2. That this 5th Addition to the Thumb Run Agricultural and Forestal District is hereby added this 17th day of June 2002, in accordance with the provisions of Title 15.2, Chapter

43, Section 15.2-4310, Code of Virginia (1950), as amended, and for a period of eight (8) years.

3. That the 5th Addition shall consist of the following parcel(s):

Donna L. Koski 6929-42-4716-000 (former PIN#) 25.0792 acres;

and, be it

FURTHER ORDAINED, That the same conditions and restrictions shall apply, to wit:

4. That pursuant to Title 15.2, Chapter 43, Section 15.2-4312, (b) of the Code of Virginia (1950), as amended, the Fauquier County Zoning Ordinance shall apply, except as modified below. The modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
5. All uses allowed by-right in the applicable zoning district(s) for each parcel shall require a special exception permit, except that farming and single-family dwellings on a legally recorded parcel of record shall be permitted by-right.
6. Subdivision of land as defined in Article 2-39 of the Fauquier County Subdivision Ordinance is not permitted.
7. No special exception shall be in conflict with the purposes for which the District was created.
8. That these parcels qualify for land use value assessment provided that the parcels meet the criteria set forth in Article 4 of Section 58.1-3229 et seq. of Chapter 32 of Title 58.1 of the Code.
9. That the owners of land within the District shall not terminate the District, except in accordance with Section 15.2-4314 of the Code.
10. That lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4314 of the Code.
11. That parcels under twenty-five (25) acres shall be excluded, except where exempted by the Board.
12. That if the parcel is subdivided or boundary adjusted to below twenty-five (25) acres, then the parcel shall be removed from the District.
13. That the District will expire on July 7, 2008.

ORDINANCE

AN ORDINANCE TO APPROVE THE 9TH ADDITION TO THE
UPPERVILLE AGRICULTURAL AND FORESTAL DISTRICT
WITHIN FAUQUIER COUNTY

WHEREAS, Section 15.2-4310, Code of Virginia (1950), as amended, allows additional parcels of land to be added to an existing district following the process described for the creation of a new district; and

WHEREAS, all requirements of Section 15.2-4310, Code of Virginia (1950), as amended have been met; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 17th day of June 2002, That the 9th Addition to the Upperville Agricultural and Forestal District be, and is hereby, adopted as follows:

1. That this addition is land which requires conservation and protection for the production of food and other agricultural and forestal products and, as such, is a valuable natural and ecological resource providing open space and clean air and adequate safe water supplies and other aesthetic purposes and is, therefore, valuable to public interest.
2. That this 9th Addition to the Upperville Agricultural and Forestal District is hereby added this 17th day of June 2002, in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4310, Code of Virginia (1950), as amended, and for a period of eight (8) years.
3. That the 9th Addition shall consist of the following parcel(s):

Paul and Marion MacMahon 6054-36-7386-000 23.04 acres;

and, be it

FURTHER ORDAINED, That the same conditions and restrictions shall apply, to wit:

4. That pursuant to Title 15.2, Chapter 43, Section 15.2-4312, (b) of the Code of Virginia (1950), as amended, the Fauquier County Zoning Ordinance shall apply, except as modified below. The modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
5. All uses allowed by-right in the applicable zoning district(s) for each parcel shall require a special exception permit, except that farming and single-family dwellings on a legally recorded parcel of record shall be permitted by-right.
6. Subdivision of land as defined in Article 2-39 of the Fauquier County Subdivision Ordinance is not permitted.
7. No special exception shall be in conflict with the purposes for which the District was created.
8. That these parcels qualify for land use value assessment, provided that the parcels meet the criteria set forth in Article 4 of Section 58.1-3229 et seq. of Chapter 32 of Title 58.1 of the Code.
9. That the owners of land within the District shall not terminate the District, except in accordance with Section 15.2-4314 of the Code.

10. That lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4314 of the Code.
11. That parcels under twenty-five (25) acres shall be excluded, except where exempted by the Board.
12. That if the parcel is subdivided, boundary adjusted, or sold acres, then the parcel shall be removed from the District.
13. That the District will expire on October 3, 2008.

SPECIAL EXCEPTION AMENDMENT #SEA02-S-01 - FREDERICK W. & BARBARA J. EICKHOFF, AND LEON H. & PATRICIA A. EGGERS, OWNERS, AND RICHARD SANDERS, APPLICANT

A public hearing was held to consider a request for special exception amendment #SEA02-S-01, Barbara and Frederick Eickhoff and Patricia and Leon Eggers, owners, and Richard Sanders (Lake Whippoorwill LLC), applicant, Scott Magisterial District, to remove a 1997 condition of approval, that requires the construction of an interparcel connection from Lake Whippoorwill subdivision to the adjoining Jamison property. Rick Carr, Director of Community Development, provided an overview of the application for the special exception amendment. Alice Haas, attorney, representing the applicant, requested a thirty (30) day deferral to allow the applicant time to work out details of the conditions. Barbara Eickhoff, owner, Scott District, stated she had concerns regarding access points to Lake Whippoorwill. Greg Horvath, Lake Whippoorwill, Melissa O'Toole, Harry Rupp, Suzanne Hayes, Joe Newman, Russell Prichard, Nick Karajoydus, Joy Karajoydus, Joy Shoebridge, Michele Karako, Fred Karako, Brad Eggers, Vice President of Lake Whippoorwill Homeowners Association, Bill McGilvery, President of Lake Whippoorwill Homeowners Association, Owen Sheffer, Jim Bounds, Treasurer of Lake Whippoorwill Homeowners Association, Carol Schafer, Mr. Gillis, Charles Schaffer, all of Scott District, were opposed to the interparcel connection. Charles Jamison, attorney, asked the Board to bring the matter to a conclusion. No one else spoke. The public hearing was closed. Mr. Weeks made a motion to table a decision regarding the special exception application until the July 15, 2002 meeting. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

SPECIAL EXCEPTION #SE02-S-16 – ROGER L. ELGIN, III, TRUSTEE, OWNER, AND BARBARA ELGIN, APPLICANT

A public hearing was held to consider a request for special exception approval #SE02-S-16 for Roger L. Elgin, III, Trustee, owner, and Barbara Elgin, applicant, for an outdoor educational use and an associated overnight tent campground. The proposed uses are to be

located on a 91-acre farm on the east side of Landmark School Road, about one-half mile north of its intersection with Bull Run Mountain Road, PIN #7012-34-8514-000, Scott Magisterial District. Rick Carr, Director of Community Development, briefed the Board on details of the special exception application. Barbara Elgin, applicant, gave an overview of the plans for the proposed outdoor education facility, and spoke in favor of the special exception application. Jenny Warden, Scott District, spoke in favor of the special exception application. Cynthia Williams, Richard Wallup, Steven Hirsch, Ms. Medeca, Mr. Scheck, Carina Elgin, and Raye Stone, all of Scott District, and Fred Warren, Loudoun County, spoke in opposition to the special exception application. Patricia Thomas, attorney, stated she represented the following landowners who were opposed to the special exception application - John and Megan Medeca; Mr. and Mrs. George L. Ohrstrom; Claude Schoch; Steven Hirsch; Kate Weber; Mr. and Mrs. John Whittaker; Tabitha Langford; and Waylan Taber. No one else spoke. The public hearing was closed. Mr. Weeks moved adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes:	<i>Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks</i>
Nays:	<i>None</i>
Absent During Vote:	<i>None</i>
Abstention:	<i>None</i>
Abstention:	<i>None</i>

RESOLUTION

A RESOLUTION TO DENY SPECIAL EXCEPTION APPLICATION #SE02-S-16

WHEREAS, Roger Elgin, III, Trustee, is the owner of a 91-acre tract or parcel of land defined as PIN #7012-34-8514-000, located in Scott District; and

WHEREAS, Roger Elgin, III, Trustee, and Barbara Elgin have filed special exception application #SE02-S-16 seeking approval to operate an outdoor educational facility and an associated tent campground on the aforesaid real property; and

WHEREAS, the Board of Supervisors has held a public hearing to receive citizen comments on the proposed uses, received written comments, staff reports and Planning Commission recommendations; and

WHEREAS, it appearing to the Board of Supervisors that upon review and consideration of the written and oral record that the applicant has not satisfied the General Standards contained in Section 5-006 or the Specific Standards contained in Sections 5-505 and 5-907 of the Fauquier County Zoning Ordinance; and

WHEREAS, it further appearing to the Board of Supervisors that the applicant has other available uses for the property; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 2002, That Special Exception Application #SE02-S-16 be, and is hereby, denied.

**ALLOCATION OF THE TEN MILLION DOLLAR PAUL MELLON ESTATE
DISTRIBUTION TO FAUQUIER COUNTY**

A public hearing was held to consider a resolution to allocate the \$10,000,000 Paul Mellon Estate distribution. Mr. Graham explained that, in addition to opening the floor to speakers on the allocation of the \$10,000,000 distribution, the Board would hear citizen comments on all other aspects of the Northern Sports Field Complex project. Mr. Atherton explained the responsibilities of the Ad Hoc Committee, which he chairs, then introduced Ron Mabry, Project Manager for the Northern Sports Field Complex. Ron Mabry gave a progress report from the inception of the project to date and provided an overview of the site plans. Gerry Hensen, member of the Sports Field Council, Dick Irish, Sally Irish, Colin Borgstrom, John Crosin, David Graham, Phyllis Moore-Snipes, Peter Driver, Eric Rizer, Jacqueline Ohrstrom, John Whiting, Frank McCord, Debbie Reedy, Cynthia Williams, Greg Meadrow, Cheryl Kowalcek, Gary Loudon, Fred Griffith-Scott, Clyde Cook, Michael Mete, Laura Coffey, all spoke in favor of the Northern Sports Field Complex project. Candy Glascock presented a petition to the Board with 582 signatures from Fauquier County residents all expressing full support of the Northern Sports Field Complex. Jay Fetner, adjacent property owner, Rita Von Luelsdorf, Steven Roszel, Sandy Young, Jan Rosson, Bob Masick, David Rosenthal, Don Giovenco, Kathy Giovenco, John Gibbon, Moses Thompson, Lena Lundh, Patricia Thomas, representing Mr. and Mrs. George Ohrstrom, Bill Backer, Gretchen Bretnov, Richard Vankuren, Trevor Potter-Scott, all spoke in opposition to the Northern Sports Field Complex project. No one else spoke. The public hearing was closed. Mr. Weeks moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

RESOLUTION

**A RESOLUTION TO ALLOCATE THE \$10,000,000 PAUL MELLON ESTATE
DISTRIBUTION**

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County and during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing or decreasing the total budget; and

WHEREAS, Fauquier County was given a \$10,000,000 distribution from the Paul Mellon Estate Trust Fund; and

WHEREAS, the \$10,000,000 was specified to complete a Northern Sports Complex; and

WHEREAS, the following distribution may be changed, if necessary, as work progresses; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 17th day of June 2002,
That \$10,000,000 be approved to increase the FY 2002 budget in the Capital Improvements
Program for the Northern Sports Complex, and is hereby appropriated as follows:

<u>Source</u>	<u>FROM Code</u>	<u>Amount</u>	<u>Department</u>	<u>TO Code</u>	<u>Amount</u>
Federal Funds	3-302-165000-0020	\$10,000,000	Capital	4-302-94721-3140	\$500,000
			Improvements	4-302-94721-3160	\$25,000
			Program – Parks &	4-302-94721-3161	\$100,000
			Recreation	4-302-94721-3500	\$2,500
				4-302-94721-3600	\$2,500
				4-302-94721-6001	\$2,500
				4-302-94721-5235	\$2,500
				4-302-94721-6050	\$2,500
				4-302-94721-8215	9,362,500
TOTAL		\$10,000,000			\$10,000,000

With no further business, the meeting was adjourned.

*I hereby certify that this is a true and exact record of actions taken by the Fauquier
County Board of Supervisors on July 15, 2002.*

G. Robert Lee
Clerk